

# FAX

**McHale & Slavin, P.A.**

■ Intellectual Property Attorneys ■



Date: April 23, 2003

To: Mrs. Ivey  
Ms. Valeria Kinard

Recipient Fax #: (703) 308-7749

From: Susan Hess

Reference / Matter #: 2132.036

Subject: Serial No. 09/845,765

# PAGES (Including Cover Page): 18

**Remarks**

Further to our telephone conversation of today, I am enclosing copies of the Response to Notice to File Missing Parts, Preliminary Amendment, Declaration and copy of our return stamped postcard indicating that the OIPE received our documents on September 10, 2001.

Please note that since the above documents were filed on September 10, 2001 via express mail, we have filed numerous documents with the PTO. Once we attend to the matter of our Response to Notice to File Missing Parts being entered, I would like to verify that all other documents have been received and entered.

Thank you for your assistance in this matter.

**McHale & Slavin, P.A.**

4440 PGA Boulevard - Suite 402 • Palm Beach Gardens • Florida • 33410  
Office 561.625.6575 • Fax 561.625.6572 • E-mail [PalmBeach@mspats.com](mailto:PalmBeach@mspats.com)

**[www.MSPATENTS.com](http://www.MSPATENTS.com)**

**PRIVACY AND CONFIDENTIALITY NOTICE**

The information contained in the facsimile transaction is confidential and private; it is intended to be disclosed only to the individual(s) to whom it is addressed. Any other person who reads, uses and/or discloses the information it contains may be violating Federal and/or State rights of the sender and the intended recipient(s). If this fax has been transmitted to the wrong number, please immediately destroy it and notify the sender of the mistaken transmission by fax or telephone.

2132.036

CERTIFICATE OF EXPRESS MAIL

**Express Mail Mailing Label: EL824281951US**

I HEREBY CERTIFY that the following correspondence:

**RESPONSE TO NOTICE OF MISSING PARTS including Signed Declaration and Formalities Letter; Preliminary Amendment regarding U.S. Serial No. 09/845,765 is being deposited by *EXPRESS Mail Mailing Certificate; RETURN-RECEIPT postcard to:***

**COMMISSIONER OF PATENTS & TRADEMARKS  
WASHINGTON D.C. 20231**

THIS THE 10th DAY OF September 2001.

I HEREBY declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment or both, under Section 1001 of Title 18 of the United States Code.

Erin P. Monahan  
Erin P. Monahan, Provisional Reg # P48,804

MCHALE & SLAVIN, P.A.  
4440 PGA Blvd., Suite 402  
Palm Beach Gardens, FL 33410  
PH: (561) 625-6575;  
FAX: (561) 625-6572

Date: 9/10/01 Docket No. 2132, 036  
Ser. No. 09 845, 765

Applicant: JACKOWSKI et al

HONORABLE COMMISSIONER OF PATENTS & TRADEMARKS

Please acknowledge receipt of the following by stamping the date of receipt.

Cert. of Express Mail No. EL 824281951 US /  First Class Mail

PATENT RELATED

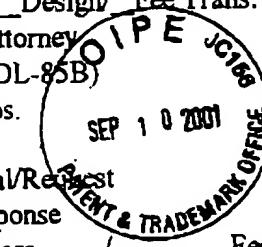
- Pat. Appl. (spec/claims/abstract)
- Pat Drawings        sheets        informal
- Pat. Trans./        Utility/        Design/        Fee Trans.
- Pat. Decl/Power of Attorney
- Issue Fee Trans. (PTOL-85B)
- Pat. Extension        Mos.
- IDS & Form 1449
- PCT Appl/Transmittal/Request
- Pat. Amendment/Response
- Maint.Fee Sub        Years

TRADEMARK RELATED

- TM/Sm Appl. AU/TU
- TM/SM Drawing sheet
- TM/Sm Transmittal
- TM Amend/Response
- Statement of Use
- TM/SM Ext.        Mos.
- Sec. 2.20 Decl/sub.specs.
- Trademark Renewal
- Sect. 8/15 Affidavit
- Fee of \$        Check No.

Other: Not Missing Parts; Signed Declan; Deposit;  
Formalities Letter; Print Dm

LSM



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT : Jackowski et al  
INVENTION : BIOPOLYMER MARKER INDICATIVE OF DISEASE STATE  
              HAVING A MOLECULAR WEIGHT OF 1518 DALTONS  
SERIAL NUMBER : 09/845,765  
FILING DATE : 04/30/01  
ATTY. DOC. NO. : 2132.036

To: The Commissioner of Patents and Trademarks  
Washington, D.C. 20231

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF  
NONPROVISIONAL APPLICATION**

This is responsive to the Notice to File Missing Parts of Nonprovisional Application, dated August 30, 2001, with a due date of October 30, 2001.

Enclosed herewith are the following items:

1. Filing Fee of \$355, as per small entity status (37 CFR 1.27), including surcharge fee of \$65 and additional claims fee of \$255 as noted in attached Preliminary Amendment, to be charged to Deposit Account Number 50-1803, and any additional fees required under 37 CFR 1.15 and 1.17
2. Preliminary Amendment
3. Signed Declaration
4. Formalities Letter.

Having now complied with all of the outstanding filing requirements, Applicant respectfully requests that this application be placed upon the files for examination.

Respectfully submitted,

Date: 09/10/01

By: Ferris H. Lander  
Ferris H. Lander  
Reg. No. 43,377

MCHALE & SLAVIN, P.A.  
4440 PGA Blvd., Suite 402  
Palm Beach Gardens, FL 33410  
(561) 625-6575



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
 UNITED STATES PATENT AND TRADEMARK OFFICE  
 WASHINGTON, D.C. 20231  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/845,765	04/30/2001	George Jackowski	2132.036

CONFIRMATION NO. 4961

## FORMALITIES LETTER



"OC000000006495191"

Michael A. Slavin  
 McHale & Slavin, P.A.  
 4440 PGA Blvd., Suite 402  
 Palm Beach Gardens, FL 33410

Date Mailed: 08/30/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).*
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 840.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
  - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

---

*A copy of this notice **MUST** be returned with the reply.*

Page 2 of 2

*SP*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE